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February 8, 2018

The Honorable Ann M. Donnelly
United States District Court
Eastern District of New York
225 Cadman Plaza East-Court Room 4(G) North
Brooklyn, New York 11201

RE: Moses Grossman adv. Rio Grande Games, Inc.
Civil Action Number: 18-cv-00409

Dear Judge Donnelly:

I refer to the Order of this Court entered on the Court's docket on January 30, 2018 at 3:54 P.M. and filed on the same day (hereinafter the "Order").

On behalf of Defendant, Moses Grossman, I advise the Court that Mr. Grossman is not taking any position with respect to the application of the Plaintiff for a Preliminary Injunction or for expedited discovery. As the Court noted in the Order, a Temporary Restraining Order is an extraordinary and drastic remedy. The party seeking a Temporary Restraining Order has the burden of establishing each of the elements required by law to warrant the relief requested. Mr. Grossman's view of the application of the Plaintiff is that if the Plaintiff satisfies the criteria for a Temporary Restraining Order, then the Court in its discretion may grant such relief. If the Plaintiff fails to satisfy the required criteria, then the request for the Temporary Restraining Order and likewise the request for expedited discovery should be denied.

This letter is limited specifically to Moses Grossman and does not set forth any position with respect to any of the other Defendants in the lawsuit.

Lastly, I am advised by Mr. Grossman that the inventory of the product which is at issue in this case, was never in his physical possession. The goods were drop shipped by the supplier directly to Defendant, Pastel Enterprises, Inc.'s customers. Mr. Grossman

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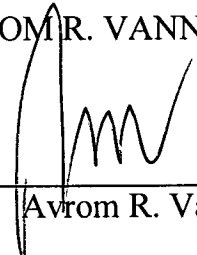
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never had and has none of the goods which are the subject of this lawsuit in his possession, custody or control.

Respectfully submitted,

AVROM R. VANN, P.C.

By: 
Avrom R. Vann, Esquire

ARV: dat
CC: Via ECF McCarter & English